

## DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: FLASH FLOATING GATE USING EPITAXIAL GROWTH, the specification of which:

X is attached hereto.

\_\_\_ was filed on \_\_\_\_\_, as Application Serial No. \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims.

I acknowledge the duty to disclose information which is material to patentability of the subject matter claimed in this application as "materiality" is defined in Title 37 of the Code of Federal Regulations, § 1.56.

I hereby claim the benefit of any earlier filing date in the United States to which I am entitled under Title 35 of the United States Code, § 120 and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35 of the United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 of the Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status)

Send correspondence to:

David J. Paul, Mail Stop 525  
Micron Technology, Inc.  
8000 S. Federal Way  
Boise, Idaho 83716  
(208) 368-4515

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18 of the United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first or sole inventor: Kelly T. Hurley

Inventor's Signature: \_\_\_\_\_

*Kelly T. Hurley* 7/13/01  
(First, Middle Initial, Last)

Date: \_\_\_\_\_

7/13/01

Residence Address: \_\_\_\_\_

3392 S ASHBURY PL

City, State, Country: \_\_\_\_\_

Boise, ID

United States of America

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

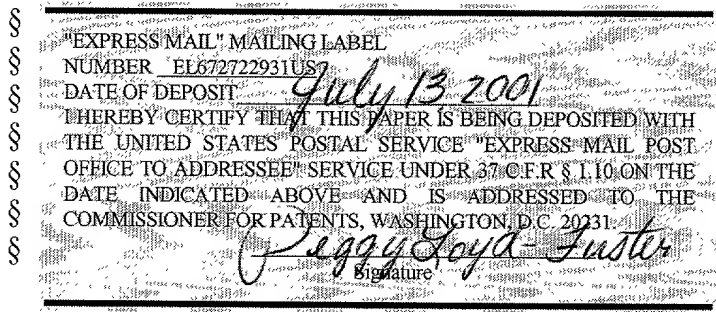
In re Application of: Kelly T. Hurley

Serial No.: Unknown

Filed: Concurrently Herewith

For: FLASH FLOATING GATE USING  
EPITAXIAL GROWTH

§ Atty. Docket: 2000-0133.00



ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73 AND POWER OF ATTORNEY

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

The undersigned, being Assignee of the entire interest in the above-identified application by virtue of an Assignment recorded in the United States Patent and Trademark Office as set forth below or filed herewith, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor(s).

The Assignee hereby revokes any previous Powers of Attorney and appoints: Michael L. Lynch, Reg. No. 30,871; Charles B. Brantley, II, Reg. No. 38,086; Kevin D. Martin, Reg. No. 37,882; and David J. Paul, Reg. No. 34,692 as its attorney or agent, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

Pursuant to 37 C.F.R. § 3.73, the undersigned duly authorized designee of Assignee certifies that the evidentiary documents have been reviewed, specifically the Assignment to MICRON TECHNOLOGY, INC., referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Assignment:

X Filed concurrently herewith for recording, a copy of which is attached hereto.

\_\_\_ Previously recorded on: \_\_\_,  
at Reel: \_\_\_ Frame: \_\_\_.

Please direct all communications as follows:

David J. Paul, Mail Stop 525  
MICRON TECHNOLOGY, INC.  
8000 S. Federal Way  
Boise, ID 83706-9632  
(208) 368-4515

Date: 7-13-01

ASSIGNEE: MICRON TECHNOLOGY, INC.

By:   
Michael L. Lynch, Reg. No. 30,871  
Chief Patent Counsel